

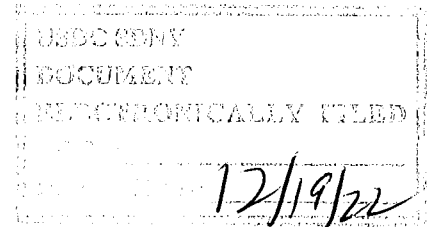
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Chambers of Vincent L. BriccettiUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
UNITED STATES OF AMERICA,

v.

HAKIM ANDERSON,

Defendant.
-----X**ORDER**

19 CR 771 (VB)



By motion dated December 19, 2022, defendant Hakim Anderson seeks a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). The motion will be separately docketed.

The government is directed to file a response to the motion by January 19, 2023. The government's response shall address the issue of exhaustion as well as the merits of the motion.

If defendant wishes to file a reply to the government's submission, he shall do so by no later than February 2, 2023.

Defendant has also requested appointment of counsel, which is denied without prejudice as unwarranted. "[A] defendant filing a compassionate release motion [under 18 U.S.C. § 3582(c)(1)(A)] . . . has no constitutional or statutory right to the assistance of counsel." United States v. Fleming, 5 F.4th 189, 192 (2d Cir. 2021). "The appointment of [Criminal Justice Act] counsel at this stage rests in the court's sole discretion." Id. at 194 n.4. Here, defendant has submitted a detailed motion, including attachments, and the issues presented by the motion are not complex. Accordingly, the Court sees no reason to appoint counsel at this time.

Chambers will mail a copy of this Order to defendant at the following addresses:

Hakim Anderson, Reg. No. 68350-054
USP Lewisburg
U.S. Penitentiary
Satellite Camp
P.O. Box 2000
Lewisburg, PA 17837

Dated: December 19, 2022
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge